

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

TYKIESHA WARD and JARVIS)	
STEWART, Each Individually and on)	
Behalf of All Others Similarly)	
Situated,)	
)	
Plaintiffs,)	CIVIL ACTION NO.
v.)	
)	1:22-cv-03182-MHC
PIVOTAL RETAIL GROUP, LLC,)	
)	
Defendant.)	
_____)	

**SECOND JOINT MOTION TO EXTEND TIME
TO MOVE FOR SETTLEMENT APPROVAL**

COME NOW Plaintiffs Tykiesha Ward and Jarvis Stewart (hereinafter “Plaintiffs”) and Defendant Pivotal Retail Group, LLC (hereinafter “Defendant”) (collectively the “Parties”), and hereby jointly move to extend the time to file the Motion for Settlement Approval and any related documents to and through May 8, 2024.

On April 4, 2024, the Court extended the deadline to April 30, 2024 for the Parties to file their Motion for Settlement Approval. (Doc. 43.) Both the Motion for Settlement Approval and Settlement Agreement have been drafted. The Parties have reviewed and revised both the Motion for Settlement Approval and Settlement Agreement. However, the Parties require additional time to file them with the Court.

Currently, the Parties are awaiting final approval of the finalized drafts of the Motion for Settlement Approval and Settlement Agreement and require an additional week to file.

Therefore, the Parties are requesting an extension to and through May 8, 2024 to file the Motion for Settlement Approval and related documents with the Court. The Parties respectfully submit that this extension is not for the purpose of undue delay and will not prejudice any party. Instead, the Parties seek the extension to finalize the drafts of the Settlement Agreement and Motion for Settlement Approval. A proposed Order is attached for the Court's convenience.

Respectfully submitted this 30th day of April, 2024.

/s/ Kenneth G. Menendez

Kenneth G. Menendez
Georgia Bar No. 502045
Andrew J. Kim
Georgia Bar No. 488753
FREEMAN MATHIS & GARY, LLP
100 Galleria Parkway
Suite 1600
Atlanta, GA 30339
T: (770) 818-000
kmenendez@fmglaw.com
akim@fmglaw.com

Attorneys for Defendant

/s/ Colby Qualls

Colby Qualls
Ark. Bar No. 2019246 (PHV)
Forester Haynie, PLLC
400 N Saint Paul, St, Suite 700
Dallas, Texas 75231
T: (214) 210-2100
cqualls@foresterhaynie.com

Matthew W. Herrington, Esq.
DeLong, Caldwell, Bridgers,
Fitzpatrick & Benjamin
101 Marietta Street, Suite 2650
Atlanta, Georgia 30303
T: (404) 979-3150
Matthew.herrington@dcbflegal.com

Attorneys for Plaintiffs

CERTIFICATE OF COMPLIANCE

I certify that the within and foregoing **SECOND JOINT MOTION TO EXTEND TIME TO MOVE FOR SETTLEMENT APPROVAL** has been prepared in compliance with Local Rule 5.1(B) in 14-point Times New Roman type face.

This 30th day of April, 2024.

s/ Andrew J. Kim _____

Andrew J. Kim

Georgia Bar No. 488753

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

**TYKIESHA WARD and JARVIS)
STEWART, Each Individually and on)
Behalf of All Others Similarly)
Situating,**)

Plaintiffs,)

v.)

PIVOTAL RETAIL GROUP, LLC,)

Defendant.)
_____)

CIVIL ACTION NO.

1:22-cv-03182-MHC

CERTIFICATE OF SERVICE

I hereby certify that on April 4, 2024, I electronically filed this **SECOND JOINT MOTION TO EXTEND TIME TO MOVE FOR SETTLEMENT APPROVAL** with the Clerk of the Court using the CM/ECF system, which will automatically send an email notification of said filing to the following attorneys of record:

Colby Qualls
Ark. Bar No. 2019246 (PHV)
Forester Haynie, PLLC
400 N Saint Paul, St, Suite 700
Dallas, Texas 75231
T: (214) 210-2100
cqualls@foresterhaynie.com

Matthew W. Herrington, Esq.

Delong, Caldwell, Bridgers, Fitzpatrick & Benjamin
101 Marietta Street, Suite 2650
Atlanta, Georgia 30303
T: (404) 979-3150
Matthew.herrington@dcbflegal.com

This 30th day of April, 2024.

Respectfully submitted,

**FREEMAN, MATHIS & GARY,
LLP**

s/ Andrew J. Kim

Andrew J. Kim

Georgia Bar No. 488753

Counsel for Defendant

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

TYKIESHA WARD and JARVIS)
STEWART, Each Individually and on)
Behalf of All Others Similarly)
Situated,)
)
Plaintiffs,)
v.)
)
PIVOTAL RETAIL GROUP, LLC,)
)
Defendant.)
_____)

CIVIL ACTION NO.

1:22-cv-03182-MHC

ORDER

This matter is before the Court on the Parties' SECOND JOINT MOTION TO EXTEND TIME TO MOVE FOR SETTLEMENT APPROVAL. Upon consideration, and for good cause shown, the Parties' Motion is **GRANTED**. IT IS HEREBY ORDERED that the Parties shall have until and through May 8, 2024 to file the Motion for Settlement Approval and any related documents.

SO ORDERED, this ____ day of April, 2024.

MARK H. COHEN
UNITED STATES DISTRICT JUDGE